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SENATE BILL 200

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Bernadette M. Sanchez

AN ACT

RELATING TO STATE AGENCIES; CREATING THE OFFICE OF HISPANIC AFFAIRS; CREATING THE OFFICE OF HISPANIC AFFAIRS FUND; CREATING THE LAND GRANT BUREAU; ESTABLISHING A LAND GRANT COUNCIL; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE.--This act may be cited as the "Hispanic Affairs Act".

Section 2. DEFINITIONS.--As used in the Hispanic Affairs Act:

- A. "bureau" means the land grant bureau;
- B. "council" means the land grant council; and
- C. "land grant" means a patented community land grant-merced organized and operating as a political subdivision of the state.

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1 Section 3. OFFICE OF HISPANIC AFFAIRS--CREATED--POWERS
2 AND DUTIES.--

3 A. The "office of Hispanic affairs" is created and
4 is administratively attached to the cultural affairs
5 department.

6 B. The governor shall appoint a director, who shall
7 work at the pleasure of the governor. The director shall
8 employ other necessary employees who shall be subject to the
9 provisions of the Personnel Act.

10 C. The office shall:

11 (1) address issues important to Hispanics,
12 including history and culture; land and water; education;
13 economic and social issues; and health care;

14 (2) secure recognition of Hispanics'
15 accomplishments and contributions to New Mexico and the United
16 States;

17 (3) cooperate with and assist public and
18 private entities dealing with issues important to Hispanics;

19 (4) address issues important to Hispanics at
20 both the state and federal level;

21 (5) otherwise act as an advocate for Hispanic
22 residents of New Mexico; and

23 (6) provide administrative support to the land
24 grant bureau.

25 D. Additionally, the office shall:

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1 (1) act as a clearinghouse for information
2 important to the Hispanic community;

3 (2) promote and develop community resources
4 designed to meet the needs of Hispanics;

5 (3) prepare and submit a budget for the
6 office; and

7 (4) publish an annual report on the activities
8 and services of the office.

9 E. The office may:

10 (1) adopt and promulgate rules pursuant to the
11 State Rules Act to carry out the duties of the office;

12 (2) accept gifts, grants, donations, bequests
13 and devises from any source to be used to carry out its duties;
14 and

15 (3) enter into contracts.

16 Section 4. OFFICE OF HISPANIC AFFAIRS FUND--CREATED--
17 ADMINISTRATION.--The "office of Hispanic affairs fund" is
18 created in the state treasury. The fund shall consist of
19 appropriations, gifts, grants, donations and bequests. Money
20 in the fund is appropriated to the office of Hispanic affairs
21 to carry out the purposes of the Hispanic Affairs Act. Money
22 in the fund at the end of any fiscal year shall not revert to
23 the general fund. The fund shall be administered by the office
24 of Hispanic affairs, and disbursements from the fund shall be
25 made on warrants drawn by the secretary of finance and

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1 administration pursuant to vouchers signed by the director of
2 the office or the director's authorized representative.

3 Section 5. LAND GRANT BUREAU--CREATED--PURPOSE--LAND
4 GRANT COUNCIL.--

5 A. The "land grant bureau" is created in the office
6 of Hispanic affairs. The general purposes of the bureau are to
7 establish a land grant support program to provide advice and
8 assistance to land grants and to serve as a liaison between
9 land grants and federal, state and local governments.

10 B. As part of the land grant support program, the
11 bureau shall establish a "land grant council" to:

12 (1) advise the bureau on the land grant
13 support program and services to be provided to land grants;

14 (2) serve as a liaison between land grants and
15 the bureau; and

16 (3) submit nominations for chief of the bureau
17 for appointment by the director with approval of the governor.

18 C. The council shall consist of five members
19 appointed by the governor from the boards of directors of land
20 grants for staggered terms of four years, with two members of
21 the initial council selected by lot to serve an initial term of
22 two years.

23 D. The council shall appoint a chair and may
24 appoint such other officers as it deems necessary.

25 E. The council shall meet at least quarterly.

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1 Meetings of the council shall be called by the chair of the
2 council or at the request of at least three members of the
3 council.

4 F. Members of the council are entitled to receive
5 per diem and mileage in accordance with the provisions of the
6 Per Diem and Mileage Act.

7 Section 6. LAND GRANT SUPPORT PROGRAM--BUREAU POWERS AND
8 DUTIES.--

9 A. The bureau may apply for and accept any public
10 or private grants, gifts or donations for the benefit of the
11 land grant support program, the council or land grants in
12 general or particular.

13 B. The bureau, on the advice of the council, may:

14 (1) assist land grants in all areas of land
15 grant fiscal and programmatic management, including planning,
16 economic development and infrastructure development;

17 (2) establish cooperative purchasing
18 capabilities for land grants;

19 (3) perform special studies and undertake
20 surveys of interest to land grants and report the findings;

21 (4) serve as fiscal agent and administrator
22 for federal and state grants-in-aid and other funding for a
23 land grant when necessary;

24 (5) facilitate or enter into agreements with
25 state and federal agencies on behalf of land grants; and

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1 (6) provide other assistance to land grants.

2 C. The bureau shall:

3 (1) facilitate the exchange of experience and
4 advice among land grants;

5 (2) serve, in conjunction with the council,
6 as a liaison between land grants and federal, state and local
7 agencies;

8 (3) promote cooperation between land grants
9 and, by consultation and advice, assist in the coordination of
10 land grant programs;

11 (4) provide board development opportunities
12 and technical assistance to the governing boards of land
13 grants;

14 (5) provide short- and long-range planning
15 assistance to land grants;

16 (6) conduct training sessions for land grants
17 on topics of interest, such as:

18 (a) local, state and national zoning
19 trends and concerns and other land-use issues;

20 (b) state requirements for political
21 subdivisions on such topics as open meetings, public records,
22 procurement, risk management, tort claims and financial
23 accountability;

24 (c) techniques of historical research;

25 (d) grant writing;

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1 (e) economic development strategies; and
2 (f) rangeland management and water
3 conservation;

4 (7) disseminate information to relevant
5 federal, state and local agencies on land grant issues and
6 activities and, when requested, on the status of individual
7 land grants;

8 (8) on the advice of the council, develop and
9 promote federal legislation for an appropriate congressional
10 response to longstanding community land grant claims in New
11 Mexico; and

12 (9) review state and federal policies, plans
13 and legislation affecting land grants in New Mexico.

14 Section 7. REPORT TO GOVERNOR AND LEGISLATURE.--The
15 council and the bureau shall report to the governor and the
16 legislature by December 1 of each year on the state of land
17 grants in New Mexico and the activities of the council and the
18 bureau for that year.

19 Section 8. APPROPRIATION.--Three hundred thousand dollars
20 (\$300,000) is appropriated from the general fund to the office
21 of Hispanic affairs fund for expenditure in fiscal year 2010 to
22 pay the costs of establishing the office and the bureau, hiring
23 staff and carrying out the provisions of the Hispanic Affairs
24 Act. Any unexpended or unencumbered balance remaining at the
25 end of fiscal year 2010 shall revert to the general fund.

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